REMARKS

Claims 1–14 are pending in this application. Claims 1–6, 8, and 11 are currently amended.

The Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1–6 and 8–14 under 35 U.S.C. 112, second paragraph, because the term "general" has been deleted.

The Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1–6 and 8–14 under 35 U.S.C. 112, second paragraph, because the claims are formatted to facilitate determination of which terms are members of which lists.

The Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 10 under 35 U.S.C. 112, first and second paragraphs, because claim 10 recites rheumatoid arthritis, which autoimmune disease is know in the art to be treatable with DPP-IV inhibitors, such as the presently claimed compounds.

The Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 2, and 8–11 under 35 U.S.C. 103(a) as being unpatentable over Chackalamannil. The Examiner asserts that species 87 and 88 of Chackalamannil are compounds that correspond to R^4 of the presently claimed formula being amino substituted at R^{20} by piperidin-4-yl. The Examiner states that piperidin-4-yl is an obvious variation of the claimed piperidin-3-yl. However, claims 1 and 2 do not recite R^4 being amino substituted by piperidin-3-yl. Therefore, the

Applicant respectfully submits that Chackalamannil does not teach or even suggest the present invention as claimed.

The Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 2, 8, 9, and 11 under 35 U.S.C. 103(a) as being unpatentable over JP 37-4895. The Examiner asserts that JP-37-4895 discloses compounds corresponding to R4 of the presently claimed formula being NR15R16, wherein R15 is H and R16 is diethylamino propyl. The Examiner states that H is an obvious variation of the claims methyl. However, R^{16} is now limited to a 2-aminoethyl group which may be substituted in the ethyl moiety, but which is unsubstituted on the terminal amino group. Moreover, the declaration already on file ("Himmelsbach II") shows very clearly the superiority of terminal unsubstituted amino groups over the alkyl substituted analogues. Therefore, the Applicant respectfully submits that JP 37-4895 does not teach or even suggest the present invention as claimed.

The Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 2, 8, 9, and 11 under 35 U.S.C. 103(a) as being unpatentable over Leake. As stated above, R^{16} is now limited to a 2-aminoethyl group which may be substituted in the ethyl moiety, but which is unsubstituted on the terminal amino group. Moreover, the declaration already on file ("Himmelsbach II") shows very clearly the superiority of terminal unsubstituted amino groups over the alkyl substituted analogues. Therefore, the Applicant respectfully submits that Leake does not teach or even suggest the present invention as claimed.

The Applicant respectfully requests favorable consideration and that the claims of this application be passed to allowance.

Respectfully submitted,

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